

HOUSE No. 2630

By Mrs. Poirier of North Attleborough (by request), petition of Ronald LaGasse for legislation to require local approval for health rules and regulations. Public Health.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT REQUIRING LOCAL LEGISLATIVE APPROVAL FOR HEALTH REGULATIONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Notwithstanding the provisions of any general or special law to
2 the contrary, no city, town, municipality, nor any board, commis-
3 sion, committee, district, council, commissioner nor individual
4 may promulgate or establish any health rule or regulation, unless
5 the legislative body in that city, town or municipality has in the
6 first instance voted its approval to establish said rule or regula-
7 tion; provided, however, that if the board, commission, com-
8 mittee, district, council, commissioner or individual responsible
9 for promulgating health rules or regulations in any such city, town
10 or municipality determines that a health emergency exists, it may
11 promulgate or establish any rule or regulation to alleviate the
12 health emergency. Any such health emergency rule or regulation
13 shall only be effective for a period of ninety days unless ratified
14 by the city, town or municipality's legislative body.